

## REMARKS

Responsive to the Official Action mailed 4 November 2004, The Examiner is respectfully requested to withdraw the newly stated rejection and pass this application to issuance.

Applicants' undersigned attorney notes the rejection of all claims presented as anticipated under 35 USC 102(e) by the publication of Iwamoto application US 2001/0002909 A1. It is respectfully submitted that this rejection is improper and should be withdrawn.

To the understanding of applicants' undersigned attorney, the effective date of the Iwamoto published application, for purposes of 35 USC 102, is the United States filing date of 4 December 2000. While the present subject application was filed 3 January 2001, less than a month after Iwamoto, priority is claimed from a European application filed 22 February 2000, a little less than eleven months prior to the Iwamoto priority date. The priority of that application was claimed on filing of the present subject United States application.

The Examiner has noted the absence of the priority document from the USPTO file. This is believed to be an error on the part of the Office, which should not be raised to the detriment of applicants. Applicants' undersigned attorney has included as attachments to this response copies of the original transmittal letter which shows in the priority document as included in the filing, the cover sheet of the certified copy which was filed, and the return postcard from the Office which acknowledges receipt of the priority document. Failure of the Office to properly handle that document should not be asserted as preventing issuance of the present subject application, to which applicants are entitled.

For the reasons given, reconsideration and prompt allowance are respectfully requested.

Respectfully submitted,

By: 

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